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			20 January 1954	
	MEMORANDUM 1	FOR:	Chief, SR Administrative Staff	00
	SUBJECT	*		
	REFERENCE	\$	Your memorandum dated 21 September 1953, subject, "Interpretation of Travel Expense," with Attachment A	0

Next 1 Page(s) In Document Exempt

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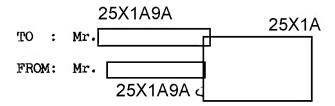
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tion cont exps perm live mann a pe	I have reviewed your ranks: it for release. Follow, however, I would suggest tained in para. 3, i.e., "leanded to include the character and resides in a continuation, as opposed to the "temperson may be hanging his or appointment. I have spoken ently in connection with the	rewrite owing o that t egal re teristi at, whe ing and oorary her ha	and our cor he tho sidences of re an subst abode'	oversa- bught ce," be a individua cantial where the time	1 25X1A

Approved For Release 2003/03/25: CIA-RDP60-00442R000100210058-8 residence and apparently the operational offices consider the term "legal residence" to be sufficiently flexible to include a mere, naked, sufficiently flexible to include a mere, for voting legal residence, such as might be proper for voting purposes. 'Nuff said:

JBK

18 December 1953

25X1C4A



OGC/JBK:tkl

cc: JBK chrono

21 September 1953

	MEMORANDUM !	TO:	General Counsel, CIA
	ATTENTION	:	25X1A9A
	FROM	*	Chief, SR Administrative Staff
	SUBJECT	:	Interpretation of Travel Expense
25X1A	REFERENCES	•	1. Public Law 110 Sec. 5 (a) (1) (C) 2.
25X1A9A	The points of travelers as	disconding	emo is a request for an official written legal opinion. cussions of
OGC 25X1			
			25X1A9A
	Attachment	A	
CP	/DU/ 1 k		

ATTACHMENT A

- 1. To determine which location an employee of the Agency may be reimbursed, on the termination of his services, for the cost of transporting his household and personal effects and for the travel expenses of himself and his dependents is a concern which requires legal interpretation of applicable authorization. Neither the travel nor the transportation section of Finance Division and Logistics Office has been able to determine conclusively for us which regulations should apply or to define those regulations which might apply. The following cases are in question:
 - a. An employee assigned to a permanent duty station outside the continental United States, who is returned to the United States for either temporary duty or for home leave, and who resigns either at his temporary duty station or at place of home leave.
 - b. An employee assigned to a permanent duty station outside the continental United States, who resigns while at his permanent duty station outside the continental United States.
 - c. An employee assigned to a permanent duty station outside the Continental United States, who is returned to a new permanent station within the continental United States, and who resigns at his new station.
 - d. An employee assigned to a permanent duty station outside the continental United States, who is returned to the continental United States for home leave and permanent change of station, and who resigns at his new permanent station after returning from home leave

from home leave.

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25X1A

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address executed at a later date would not also change the location to which an employee would be reimbursed for travel and transportation expenses on the termination of his services.

It is also assumed that, if through a clerical error of definition, the place originally designated on a Residence and Dependency Report as place of residence when appointed to service was not in fact the "legal" residence, a correction at a later date would be allowed, either by a notice in writing from the individual or in the case of overseas personnel by a cable or dispatch giving such notice.

3. A number of employees who have recently returned to the continental United States on permanent change of station orders have not been able, due to the lower personnel ceiling, to find an available slot. They have, therefore, resigned upon arrival in Washington or while on home leave or upon returning to Washington from place of home leave. it is Because of the conditions of possible that two similar employees returning for re-assignment could have different orders: one for PCS Washington and one for TDY Washington.

Under oral interpretation 25X1A9A Under This interpretation is novel to us and would work an unintentional hardship on employees with residences distant from Washington. PP/Admin would not authorize transportation and travel expenses of an to his residence when the employee resigned 25X1A9A employee after being returned to the continental United States for permanent change of station. Yet, FI/Admin has authorized transportation and 25X1A9A to his residence when travel expenses of an employee the employee resigned after being returned to the continental United States for permanent change of station. 4. Discussions with various employees who have handled travel and trans-OGC portation on overseas orders indicate that a liberal interpretation of 25X1 privileges has been in operation In previous practice, the Agency has been shipping effects to home of record under all cases in paragraph two regardless of whether the Agency had shipped effects to the East Coast at time of original Agency appointment for either domestic or over-

seas duty. The previous line of demarcation has been that effects were not shipped after separation when the employee had not had recent over-

seas duty.

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5. SR feels that a liberal interpretation as set forth in paragraph four is equitable. Under this interpretation, all cases in paragraph one would be entitled to travel and transportation costs to his legal residence upon separation from the Agency. We recommend that the unwritten understanding now in effect be confirmed in writing.